

City of Alexandria, Virginia
Department of Planning & Zoning

SPECIAL USE PERMIT CERTIFICATE

Article XI, Division A, Section 11-510 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia requires that you display this Special Use Permit in a conspicuous and publicly accessible place. A copy of the list of conditions associated with the special use permit shall be kept on the premises and made available for examination by the public upon request.

Special Use Permit	SUP#2014-0116
Approved by Planning and Zoning:	December 1, 2014
Permission is hereby granted to:	Carlyle Club, LLC
to use the premises located at:	2050 Ballenger Avenue
for the following purpose:	see attached report

It is the responsibility of the Special Use Permit holder to adhere to the conditions approved by City Council. The Department of Planning and Zoning will periodically inspect the property to identify compliance with the approved conditions. If any condition is in violation, the permit holder will be cited and issued a ticket. The first violation carries a monetary fine. Continued violations will cause staff to docket the special use permit for review by City Council for possible revocation.

12/1/14

Date

KARL MORITZ/AD

Karl Moritz, Acting Director
Department of Planning and Zoning

DATE: December 1, 2014

TO: Alex Dambach, Division Chief
Department of Planning and Zoning

FROM: Ann Horowitz, Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2014-0116
Administrative Review for New Use and Outdoor Dining
Site Use: Restaurant
Applicant: Carlyle Club, LLC
Location: 2050 Ballenger Avenue
Zone: CDD#1 / Coordinated Development District #1

Request

Special Use Permit #2014-0116 is a request from Carlyle Club, LLC to relocate a new restaurant with outdoor dining to 2050 Ballenger Avenue. The full-service restaurant has operated at 411 John Carlyle Street since 2007 and would now occupy a 8,381 square foot tenant space on the first floor of a building designed for retail and office uses. Two hundred and fifty indoor seats and 78 outdoor seats would be included in the restaurant that would offer classic, gourmet cuisine in a supper club atmosphere. The hours would be 11 a.m. to 12 midnight, daily. The establishment would serve 400 customers inside the restaurant and 150 customers at the outdoor dining area a day. Live entertainment would be scheduled five times a month.

Background

The subject site is located in the west half of Block J of the Carlyle development and was constructed in the Fall 2009. Since that time, the first floor has been vacant.

Parking

The parking requirements for the subject building were specified in the Transportation Management Plan for Carlyle (SUP#2254) and these parking requirements were met for the subject site at the time the on-site parking garage was constructed. The applicant is not required to provide parking beyond that already provided at the subject site.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. In addition, Shuters Hill Owners Association, Carlyle Towers Condominium Unit Owners, Carlyle Towers Civic Association, and the Royalton at the King Street Metro Condominium Associations were sent an e-mail with information about the current application. Staff has not received any comments from the public regarding this request.

Staff Action

Staff supports the applicant's request for the relocation of the Carlyle Club to 2050 Ballenger Avenue. The restaurant with outdoor dining and occasional live entertainment would promote

the vision for an active and vibrant Carlyle neighborhood and would fill approximately one half of a long-vacant first-floor tenant space.

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: 12/1/2014

Action: Approved



Alex Dambach, Division Chief

Attachments: 1) Special Use Permit Conditions
2) Statement of Consent

CONDITIONS OF SPECIAL USE PERMIT #2014-0116

The new owner is responsible for ensuring that the following conditions are adhered to at all times. Violation of any of the conditions may result in fines and/or referral to public hearing by the Planning Commission and City Council.

1. The special use permit shall be granted to the applicant only or to any corporation or entity in which the applicant has a controlling interest. (P&Z)
2. Seating shall be provided for no more than 328 patrons inside and outside. (P&Z)
3. The hours of operation shall be limited to 11 a.m. to 12:00 midnight daily. Meals ordered before 12 midnight may be served, but no new patrons may be admitted after 12 midnight, and all patrons must leave by 1 a.m. (P&Z)
4. The applicant shall post the hours of operation at the entrance to the restaurant. (P&Z)
5. Outside dining facilities may be located on private property and shall not encroach onto the public right of way. The applicant shall ensure that pedestrian access is provided past the outdoor seating and shall clean the seating area at the close of business each day. (P&Z)
6. The design of the outdoor seating shall be compatible with the design of the building. Any permanent structures which are required for the outdoor seating area shall be subject to review and approval by the Carlyle DRB. (P&Z)
7. No live entertainment shall be permitted in the outdoor seating area. (P&Z)
8. Any outdoor seating areas shall not include advertising signage. (P&Z)
9. Delivery service shall not be part of the restaurant operation. (P&Z)
10. Alcohol beverages may be sold for on-premises consumption only. (P&Z)
11. No food, beverages, or other material shall be stored outside. (P&Z)
12. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in a closed container which does not allow invasion by animals. No trash and debris shall be allowed to accumulate on-site outside of those containers. (P&Z) (T&ES)
13. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (P&Z) (T&ES)

14. All loading and unloading associated with the restaurant shall take place either from the loading spaces designated for the building or approved on street loading spaces. (P&Z)
15. The applicant shall post signs directing patrons to parking at the on-site underground garage. The applicant shall also provide information about alternative forms of transportation to access the location of the use, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. (P&Z) (T&ES)
16. The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department at 703-746-6838 regarding a security survey and a robbery awareness program for all employees. (P&Z)
17. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements. (P&Z)
18. All patrons shall be seated by a host or hostess, printed menus shall be provided at the tables, service shall be provided at the tables by a waiter or waitress, and tables shall be preset with non-disposable tableware and glassware. (P&Z)
19. Deliveries to the business shall not take place between the hours of 7:00 a.m. and 9:30 a.m., or between 4:00 p.m. and 6:00 p.m., Monday through Friday. (P&Z) (T&ES)
20. The design of the restaurant shall reflect the character and quality of materials consistent with the high standards established in Carlyle. (P&Z)
21. The applicant shall require its employees who drive to work to use off-street parking. The applicant shall encourage its employees and customers to use mass transit or to carpool, by posting information regarding DASH and METRO routes, the location where fare passes for transit are sold, and advertising of carpooling opportunities. (T&ES)
22. Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)
23. The applicant shall control odors and smoke from the property to prevent them from becoming a nuisance to neighboring properties, as determined by the department of transportation and environmental services. (T&ES)
24. Grease traps shall be located within the building. Kitchen equipment, including floor mats, shall not be cleaned outside, nor shall any cooking residue or wash water be washed into the streets, alleys or storm sewers. (P&Z) (T&ES)
25. All waste products including but not limited to organic compounds (solvents), shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)

26. The Director of Planning & Zoning shall review the Special Use Permit one year after approval and shall docket the matter for consideration by the Planning Commission and City Council if a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community, b) the Director has received a request from any person to docket the permit for review as the result of a complaint that rises to the level of a violation of the permit conditions, or c) the Director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)

CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

From Section 11-513(C) of the Zoning Ordinance:

General standards for all administrative uses:

(2) The applicant shall provide information about alternative forms of transportation to access the location of the use, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods.

(3) The applicant shall encourage its employees and customers to use mass transit or to carpool when traveling to and from work, by posting information regarding DASH and METRO routes, the location where fare passes for transit are sold, and advertising of carpooling opportunities.

(5) The applicant shall require its employees who drive to work to use off-street parking.

(7) Trash and garbage shall be stored inside or in sealed containers that do not allow odors to escape or invasion by animals. No trash and debris shall be allowed to accumulate outside of those containers. Outdoor trash receptacles shall be screened to the satisfaction of the director.

(9) Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be monitored and picked up at least twice during the day and at the close of the business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is in operation.

(10) The use must comply with the city's noise ordinance. No outdoor speakers shall be permitted. No amplified sound shall be audible at the property line.

From Section 11-513(L) of the Zoning Ordinance:

Specific standards for restaurants:

(11) The applicant shall control odors and smoke from the property to prevent them from becoming a nuisance to neighboring properties, as determined by the department of transportation and environmental services.

(12) Deliveries to the business are prohibited between 11:00 p.m. and 7:00 a.m.

Conditions:

1. Kitchen equipment, including floor mats, shall not be cleaned outside, nor shall any cooking residue or wash water be washed into the streets, alleys or storm sewers. (T&ES)
2. All waste products including but not limited to organic compounds (solvents), shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)

City Code Requirements:

1. The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). In order to comply with this code requirement, the applicant shall provide a completed Recycling Implementation Plan (RIP) Form within 60 days of City Council approval. Contact the City's Recycling Program Coordinator at (703) 746-4410, or via e-mail at commercialrecycling@alexandriava.gov, for information about completing this form. (T&ES)

Code Enforcement:

- F-1 The following comments are for SUP. Once the applicant has filed for a building permit and additional information has been provided, code requirements will be based upon that information and the building permit plans. If there are any questions, the applicant may contact Charles Cooper, Plan Review division at Charles.cooper@alexandriava.gov or 703-746-4197.
- C-1 Building and trade permits are required for this project.
- C-2 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).

Health Department:

Food Facilities

1. An Alexandria Health Department Permit is required for all regulated facilities. A permit shall be obtained prior to operation, and is not transferable between one individual, corporation or location to another. Permit application and fee are required.
2. Construction plans shall be submitted to the Health Department located at 4480 King Street and through the Multi-Agency Permit Center. Plans shall be submitted and approved by the Health Department prior to construction. There is a \$200.00 plan review fee payable to the City of Alexandria.

3. Construction plans shall comply with Alexandria City Code, Title 11, Chapter 2, The Food Safety Code of the City of Alexandria. Plans shall include a menu of food items to be offered for service at the facility and specification sheets for all equipment used in the facility, including the hot water heater.
4. A Food Protection Manager shall be on-duty during all operating hours.
5. The facility shall comply with the Virginia Indoor Clean Air Act and the Code of Alexandria, Title 11, Chapter 10, Smoking Prohibitions.
6. In many cases, original wooden floors, ceilings and wall structures in historical structures may not be suitable for food service facilities. Wood materials shall be finished in a manner that is smooth, durable, easily-cleanable, and non-absorbent.
7. Facilities engaging in the following processes may be required to submit a HACCP plan and/or obtain a variance: Smoking as a form of food preservation; curing/drying food; using food additives to render food not potentially-hazardous; vacuum packaging, cook-chill, or sous-vide; operating a molluscan shellfish life-support system; sprouting seeds or beans; and fermenting foods.

Parks and Recreation

F-1 No comments received

Police Department

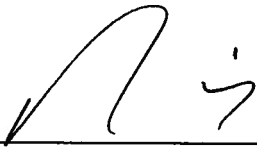
F-1 No comments received

Fire Department

C-1 A fire prevention permit is required for an occupant load exceeding 50 total patrons and employees.

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2014-0116. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the parking reduction at 2050 Ballenger Avenue.



Applicant - Signature

12/2/14
Date

BRENNAN REILLY
Applicant - Printed

12/2/14
Date